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Morocco

FAIRS Product Specific

Country Report

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Report Highlights:
Morocco is amending its regulation on imports of beef and poultry to make it compatible with the recently signed Free Trade Agreement with the United States and clearing the way for US meat and poultry exports.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Rabat [MO1]
[MO]

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This report has been prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in (Rabat, Morocco) for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided might be no longer be complete nor precise as some import requirements are subject to frequent change. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before the sale conditions are finalized.

FINAL IMPORT APPROVAL OF ANY PRODUCT IS ALWAYS SUBJECT TO THE RULES AND REGULATIONS AS INTERPRETED BY THE COUNTRY OF IMPORT AT THE TIME OF PRODUCT ENTRY.

Please contact this office, if you have any comments, corrections or suggestions about the material contained in this report.

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I. FOOD LAWS

Control of food safety and conformity with the local regulation is covered by several ministries in Morocco. The Ministry of Agriculture, however, is the major authority for inspection and control for imported products. All imported agricultural and food products must go through Ministry of Agriculture inspectors before they can clear Customs. Within the country, inspection is also carried out by inspectors from the Ministry of Health and by other local authorities (Ministry of Interior).

The Ministry of Agriculture is major arms for food safety issues are the Division of Livestock and the Division of Plant Protection, Technical Control and Fraud Repression (DPVCTRF). The Fraud Repression Office within the DPVCTRF Division is in charge of regulating, implementing, and controlling conformity of the products with the local regulations including, standards, labeling, packaging, etc.

The primary law currently in effect for food quality control and fraud repression is the 13/83 law issued on October 5, 1984. This law defines the procedure that agents should follow to investigate fraudulent products. In particular, it describes food sampling procedures, appeals system, and procedures to seize and prevent sales of unsafe products.

This 13/83 law supercedes the 1914 food law but stipulates that some of the 1914 law articles are still in effect, especially articles 4 to 7 that specifies types of metal to use in food packaging as well as products used to varnish and seal food cans. Also, Articles 20-30 of the 1914 law are still in effect and set the terminology of various food categories and set some basic requirements for each category.

II. LABELING REQUIREMENTS

Food labeling

The current labeling regulation in effect was issued on June 6, 2002. This labeling law introduced several new requirements including Arabic language labeling and printing importers names on labels. These two requirements in particular have been difficult to implement and the government has been flexible during the first few years of the implementation. However, over the past few years, Arabic labeling has been increasingly used both for imported and locally made products. Currently, the government is in the process of developing a list of products for which these two specific requirements might be waived. The list is likely to include wine, pork derived food, and some other products for which the importer has to provide evidence that, because of the volume imported, it is not practical for the foreign producer to fulfill these two requirements. The final text of the labeling exception remains to be seen.

The labeling law includes the following requirements:

- Imported food, whether sold or distributed freely, must be labeled in such a way that it is not confusing to the consumer, especially regarding the nature, identity, quality, composition, useful products contents, quantity, species, durability, conservation, origin, and processing methods.

- The labeling should not indicate that the product has special characteristics if these are common to all similar products.

- Except as specified by the prevailing regulations for mineral water and foods for special use, the labeling of food products must not state any prevention, treatment, or human disease curing properties. These prohibitions and restrictions apply also to the presentation of food products including their shape, aspect, packaging

material and its disposition, as well as to the environment in which they are being exhibited.

- All items on the label should be easily comprehensible, in Arabic, and, if necessary, in any other language and without abbreviations except those provided by the current regulation or international conventions. Items have to be printed in readily seen places and be visible, clearly readable, and indelible. In no case can the labels be dissimulated, hidden or separated by any other indications or images.

- Explicitly, food labels must include:
  1) Denomination of the product: as set by the prevailing legislation, by Codex Alimentarus, or by prevailing trade practices. If there are no regulation regarding the denomination, it must describe the food, and if necessary, its use and be as accurate as possible to allow the final buyer to recognize the nature of the food and distinguish it from other products with which it might be confused. The denomination should also include the physical state of the products or the process it went through if omitting it might potentially be confusing to the buyer.
  2) List of all ingredients sorted by decreasing weight at the time of packing. If the label claims an unusually low/high amount of one or several ingredients the minimal/maximal quantity of the ingredient (s) must be indicated unless the ingredient is used exclusively in low amounts (as a flavoring). The list of ingredients is not required for a) Fresh fruits and vegetables, b) Sparkling water if denominated explicitly c) Vinegar derived from one product, d) Cheese, butter, milk and cream when only dairy products, enzymes, and micro-organism culture have been added e) Products made of a single ingredient, and f) Flavoring agents of which additives and supports have to be indicated.
  3) Net quantity: it is not necessary for food products when the quantity is less than 5 grams or 5 milliliters except for spices and aromatic plants. When a food product is presented in cover liquid the net drained weight must be mentioned.
  4) Production and expiry date (see section below).
  5) Indication of any special storage conditions.
  6) Name and address of the manufacturer, the packager, or the importer.
  7) Place of origin if omitting it would generate confusion for the buyer as to the origin.
  8) Notice of use and special conditions of use, including precaution of use if omitting it would not allow appropriate use).
  9) Additional labeling requirements for specific products as stipulated in other prevailing regulations.
  10) Alcohol volume title for drinks that are over 1.2 % of alcohol in volume.

In addition to the general Decree above that sets the basic rules for labeling, there are rules that are specific to some products.

Metric measurements are mandatory (Law August 29, 1923). Moroccans are not familiar with U.S. measurement standards such as ounces, lbs., cups, servings, etc. However, unlike in Egypt and other Middle East countries, Moroccans tend to use western style numbers.

Morocco has no mandatory nutritional labeling requirements. U.S. nutritional labels are accepted but not mandatory.

Production and Expiration date

Production and expiration dates are mandatory on pre-packed food and feed products, including canned products and beverages (Decree 17-88, Law 88-179, of Sept. 10, 1993). U.S. exporters should be aware that, unlike in the U.S., when using dates in the format (xx/xx/xx), the date format should be (dd/mm/yy).

The printing of the dates varies according to the shelf life:

- For products with a shelf life of less than 3 months, the day and the month must be indicated.
- If shelf life is between 3-18 months, the month and the year should be given.
- For products with more than 18 months' shelf life the full date should be given.

The implementing decree for production and expiration date (Decree 2-95-908 May 5, 1999 published in Official Bulletin # 4692) defined two lists of products:

> **List I:** Products for which the shelf life and the maximum temperature of storage are set by the government. This list includes refrigerated/ frozen/ processed meat and poultry, refrigerated/frozen/smoked/dried fish, milk, processed milk, ice-cream, cheese, cream, prepared meals, egg products and egg-made pasta, pasta stewed with meat, mineral water, fruit juice, drinks, and lemonades.
>
> The expiration date for products in List I must be printed in the form of *"To be consumed by:"* or *"To be consumed by the date shown on..."* followed by the date and the maximum storage temperature. On April 2001, the government published a table with a list of products, their maximum shelf life and the maximum temperature for their storage (Joint Ministry of Agriculture - Ministry of Health decision 440-01 of February 26, 2001 published in the Official Bulletin 4888 of April 5, 2001).
>
> **List II:** Non-perishable products for which the expiration date is not mandatory. This list includes fresh fruits and vegetables, wine, sparkling wine, wine obtained from fruit other than grapes, beverages of more than 10 percent alcohol, vinegar, salt, solid sugar, confectionary products made almost only from colored or aromatized sugar, chewing gums, individual servings of ice cream.
>
> Products that are NOT on the List I, must have their expiration date printed in the format: *"To be consumed preferably by…" or "To be consumed preferably by the date shown on…".* The production and expiration date should be printed in apparent, perfectly legible, and indelible manner.

For pre-packed food products that are not on Lists I and II, the packager is responsible for indicating the date by which the products keep their specific properties and the conditions under which they should be stored. The printing of the expiration date for these products is not mandatory.

Stick-on Labels

Stick-on Labels accepted if they were on the product when it arrived the port. Once the commodity is unloaded in Morocco application of sticker labels must be approved and supervised by the Fraud Control Office at the Ministry of Agriculture (DPVCTRF).

III. FOOD ADDITIVE REGULATIONS

The basic law that authorizes use of antiseptics, colorants, artificial essence, and other additives is the Minister's decision of February 6, 1916, as modified by the decrees of December 8, 1959 and 2-88-103 of August 28, 1989. The 1959 Decree specifies what types of colorants can be used for each type of food category including dairy products, sugar, salt, wine, beer, cedar, vermouth, syrups, vinegar, and many other products.

The most recent government decision regarding the use of additives is the Circular 001/97, issued jointly by the Ministry of Agriculture and Ministry of Public Health on September 6, 1996. It sets the rules for additives used in food products marketed in Morocco.

Importers need to be aware of four major points when considering use of additives:

- There is a list of approved additives that can be used in food products in Morocco (Paragraph IV of the above-mentioned circular).
- Additives can be used only in a predetermined list of foods under specific conditions mentioned in paragraph V of the circular, especially the maximum amount of residues and the maximum admissible doses.
- Additives must be identified and fulfill the purity criteria mentioned in Para. VI.
- Additives are accepted in compound and prepared food when they are authorized to be used in an ingredient of this food. Additives can be used up to the maximum accepted for each compound food.

Current Positive List of Additives

The most current list of additives on the positive list can be obtained from the Agricultural Affairs Office in Rabat or directly from the Ministry of Agriculture's Quality Control and Fraud Repression Office:

Ministere de l'Agriculture et du Developpement Rural-DPVCTRF
Direction de la Protection des Vegetaux,
Controle Technique et Repression des Fraudes
Station Dbagh, Avenue Hassan II, B.P. 1308, Rabat, Morocco
Phone: (212-3) 729-7543/729-7545 Fax:(212-3) 729-7544

Approval of New Additives

Pre-market approval is required for food additives. Before marketing an additive in Morocco, a petition must be submitted to the Ministry of Agriculture's Quality Control and Fraud Repression Service:

Ministere de l'Agriculture et du Developpement Rural - DPVCTRF
Direction de la Protection des Vegetaux,
Controle Technique et Repression des Fraudes
Secretariat de la Commission Interministerielle Permanente
pour le Controle Alimentaire et la Repression des Fraudes.

Station Dbagh, Avenue Hassan II, B.P. 1308, Rabat, Morocco
Phone: (212-3) 729-7543/729-7545 Fax:(212-3) 729-7544

In addition to the explicit request, enclose the following information:

1) Name, Address, phone, and contact of the organization making the request.

2) Designation of the substance to be approved:
   a) Nature of the substance (chemical name, usual name, chemical formula expressed in international standards).
   b) Commercial name of the substance, name of the producer
   c) Identity and purity criteria of the substance. Indicate also the percentage of impurities.
   d) Daily Admissible Dose (indicate name of the organization that issued it).
   e) Any other physical or chemical information deemed useful.

3) Information on the food to which the additive is going to be added:
   a) Definition of the food(s) for which the approval is requested
   b) Procedure and dose to use the substance
      a. Description of the fabrication procedure with all necessary details on the mode of incorporation of the additive.
      b. Justification of the use of the additive: purpose, expected effect, advantage of its use for the manufacturer, user, and consumer. Report on variable dose trials. Determination of the necessary dose to obtain the expected effect. Proofs of the effectiveness of the suggested doses. Criteria used to determine the effectiveness of

the substance and conditions under which the effectiveness trial was conducted (temperature, pH, duration, etc..). Mention also any other procedures used to obtain similar results. Results of comparative trials where already one or more approved additive(s) play the same role.

c) If the substance is capable of affecting the hygienic characteristics of the food, provide results of the microbiological analysis showing that the hygienic quality of the final product has been preserved.

d) Method of analysis to control the additive doses in the product.

4) Data on approval by other countries indicating the authorized doses, conditions under which the substance is to be used, and the food product(s) for which the authorization has been granted. (If possible attach copies of the official authorizations).

5) Provide if possible:
   - Evaluation of the quantities of the substance absorbed by the consumer as a function of the doses included in the food products and the estimated quantity of consumed food.
   - Statistical information on the consumption of the food product. Evaluation of excessive use by particular groups of consumers.

6) Provide list of joint documents.

7) Any physiological, toxicological, nutritional information on animal or human that may support the request.

8) Toxicological & Physiological information:
   a) Information on methods used to determine experimentally:
      - Toxicity
      - Effect on reproductive functions
      - Carcinogenic/mutagenic effects
      - Allergenic properties and effect on immune functions.
      - Nutritional effect, whether favorable or not.

      Provide results of the methods used.

   b) Any physiological or toxicological information on use on humans.

   c) Any other relevant information that is deemed to be useful.

IV. PESTICIDE AND OTHER CONTAMINANTS

Pesticide imports, manufacturing, storage, and marketing are subject to strict government control (law 42-95, of January 21, 1997, Official Bulletin 448). Importers, producers, and distributors of pesticides need to be licensed by the government (Decree 2-99-106 of May 5, 99) and each pesticide marketed has to be approved by the Ministry of Agriculture's Plant Protection Division:

Ministere de l'Agriculture et du Developpement Rural
Direction de la Protection des Vegetaux
Service d'Homologation des Pesticides
Station Dbagh, Avenue Hassan II, B.P. 1308, Rabat, Morocco

The request for pesticide approval has to be made by the importer or the local producer according to the procedure described by the Ministerial Decree (Decree 2-99-105 published on may 5 in the Official Bulletin# 4692).

Pesticide Control on Food Products

Imported food products are not systematically controlled for pesticide residues but Ministry of Agriculture agents (Plant Protection Inspector or Fraud Repression Controller) are authorized by law to request, if deemed necessary, that laboratory analysis be made for certain products or for products originating in some countries.

The Ministry of Agriculture refers to CODEX standards for tolerance levels.

V. OTHER SPECIFIC STANDARDS

Biotechnology Products - GMO's

Currently, although there is no detailed regulation per se regarding biotechnology products, the Moroccan government is tolerating feed corn and soybean shipments but is not allowing in food items and planting seeds that are known to be genetically modified. A certificate of non-GMO might be required for some food products if the government has evidence that the imported product contains products of biotechnology. However, we have no reports of products not accepted.

Importers who have doubts about the acceptance of their products into Morocco should contact:

Ministere de l'Agriculture et du Developpement Rural- DPVCTRF
Station Dbagh, Avenue Hassan II, B.P. 1308, Rabat, Morocco
Secretariat de la Commission Interministerielle Permanente
pour le Controle Alimentaire et la Repression des Fraudes.
Phone: (212-3)729-7543/729-7545 Fax:(212-3)729-7544

Wine, Beer, And Other Alcoholic Beverages

Although imports of alcoholic beverages can be done theoretically by any importer, their marketing, sale, storage, and handling are subject to strict government control. Marketing of wines at the wholesale and retail levels is subject to a special license from the Ministry of Agriculture Fraud Repression Office. Other alcoholic beverages such as whisky, beer, and other spirits can be handled and marketed only by distributors licensed by the local authorities (Ministry of Interior). Alcoholic beverages can be sold only at licensed retail and wholesale points.

Morocco's regulations recognize four categories of wine (Decree 275-321 of 8/12/77):

- "*Old Wine*" that is over 25 months old and "*Selected Wine*" that is over 13 months old.
- "*Vintage Wine*": includes the "*Guaranteed Vintage Wine*", the " *Controlled Vintage Wine*" and the "*Local Wine*" which are produced under conditions and areas determined by the Ministry of Agriculture.
- "*Sparkling Wines*"
- "*Ordinary wines*": Alcoholic content must be at least 12 percent in order to be imported and marketed in Morocco. The law also explicitly prohibits the sale of wines that have alcohol content of less than 12 percent (of volume) and prohibits the use of right protected words or expressions. The characters specifying the type of wine must be at least 5 millimeters high. The labels "*Red Wine*", "*White Wine*", "*Rosé*", "*Table Wine*", and "*Mixed Wine*" can be used.
- The origin labeled wines can be imported into Morocco if they comply with the regulations prevailing at the country of origin. (Ministry of Agriculture Decision 736-96, of June 27, 1996, published in the official bulletin 4384).

Recently the Ministry of Agriculture published a regulation that defines the conditions that wine must meet before it can include the *denomination of "Chateau*" on the label (Ministry of Agriculture decision 815-04, October 14, 2004, Published in the Official Bulletin 5266 of November 18, 2004)

Labeling and marketing of wine is subject to the basic law issued by the Ministry of Agriculture (Decree 2-75-321 issued on August 12, 1977). Alcohol content must be specified in unit or half units and should not differ by more than 0.5 percent of the content determined by analysis. Non-origin labeled sparkling wines cannot be sold unless the label "*Sparkling Wine*" is indicated on the bottle. The size of the characters should be at least half of the size of the largest characters used on the label.

Origin labeled wines must have the following information on their label: 1) geographical denomination, 2) the labels "*Origin label guaranteed*" or "*Guaranteed vintage wine*" 3) brand name or vineyard name printed in legible characters. 4) Alcohol content 5) name and address of the bottler printed in characters not exceeding two-thirds the size of the characters used to print the geographical denomination.

Bottling of wine is subject to strict requirements. Ordinary wines and common wine can be sold in 1 liter glass bottle or 1.5 liters PVC bottle. Guaranteed vintage wines, old wine, origin labeled wines can be marketed only in glass bottles of specific sizes (75 cc, 37.5 cc, 72 cc and 18 cc) (Article 19 of the 275-321 law on wine marketing). Sparkling wine bottles must have a capacity of 80 cc or 40 cc.

A certificate of origin and a certificate of laboratory analysis are required by the Ministry of Agriculture for imported of origin labeled wines.

Alcoholic beverage bottles of more than 25 cc, except wines, whisky, and beers, whether produced locally or imported cannot be distributed to retailers or end-users unless a "Control Stamp" is stuck on the cap of each bottle. The stamp should be long enough to cover part of the bottleneck and should be stuck so that the stamp number remains readable (Ministry of Finance Decision, 723-96, April 12, 1996, Official Bulletin 4383).

Dairy Products

Morocco published a new regulation on production and marketing of dairy products (Decree 2-00425, December 7, 2000, Official Bulletin # 4862 of January 4, 2001). This Decree abolishes and replaces three major government decisions:

a) The basic regulation undermining milk marketing in Morocco. It included the requirement to add starch to imported milk powder (Ministerial Decision of August 6, 1926).
b) Specifying that unless the milk is from cows, the species should be mentioned in the label. (Article 20 of the October 14, 1914 decision).
c) For establishing controlled Milk processing units (Ministerial Decision of March 10, 1917)

The new Decree provides definitions of various milk products and sets the hygienic and sanitary conditions for milk production, processing, and sale.

The Decree also stipulates that milk reconstitution from sterilized or UHT milk requires an authorization from the Ministry of Agriculture. Reconstitution of milk from pasteurized milk is prohibited. Addition of starch to imported milk powder for industrial use is no longer required.

Milk can be marketed only under the following categories:

1) Pasteurized or sterilized UHT whole milk at 30 grams of fat per liter
2) Pasteurized or sterilized UHT semi-skimmed at 15 grams of fat per liter
3) Pasteurized or sterilized skimmed UHT milk 0 grams of fat per liter

The various milk products as defined in the Decree must include in their label the following indications:

a) Name of the product.
b) Brand name or Company Name.
c) Expiration date.
d) Fat Content.

e) Volume or Net Weight.
f) The citation: *"to store at..."* followed by the appropriate storage temperature as set by the current regulations.
g) In addition to the label "*Pasteurized Milk*", "*Sterilized Milk*", or "*UHT Sterilized Milk*", indicate "*Whole*", "*semi-skimmed*", or "*skimmed milk*".
h) Registration number of milk pasteurization/sterilization plant.
i) The mention "*Refrigerate after opening*" or "*use rapidly*".

Butter

The prevailing regulation governing the marketing of butter has been issued in 1995 (Decree 2-93-179, Dec. 12, 1995, issued in the Official Bulletin 4338). This decree stipulates that each 100 grams of butter must contain at least 82 percent fat, and a maximum of 18 percent nonfat, of which water represents no more than 16 percent. It must also comply with the microbiological requirements as specified by the Ministry of Agriculture.

When the butter is not from cows, the species from which it is issued must be indicated. Butter with an acidity of over 15 (number of cc of normal potash for each 100 grams of finished products) is considered not suitable for consumption.
Butter can be sold in portions of 10, 12 grams, in slices weighing 125, 250, 500, 1000, 2500, and 5000 grams, and in blocks of 20 and 25 kilograms.

In addition to the minimum labeling requirement, imported butter labels must bear the statement "*Pasteurized Butter*", and indicate the country of origin, name of producer and its address, net weight, production date, and the shelf life.

The microbiological, physical, and chemical specification required for local and imported butter can be found in the Ministry of Agriculture Decision 699-93 of March 1996 (Official Bulletin 4370). This decision sets the maximum tolerated germ concentration and stipulates that the imported butter must fulfill the additional following requirements:

1) Imported Butter must be pasteurized and labeled as "*Pasteurized Butter*"
2) Butter must not be renovated or regenerated
3) Butter must be less than 7 months old
4) Butter must be stored at less than - 15 centigrade

Dietetic or Special Use Food

These products are consumed for special nutritional purposes. They include baby formulas, infant food, dietetic food, food with a guaranteed amount of vitamins, amino-acid, or magnesium, food particularly high or low in energy, lipids or proteins, low sodium, and low calorie diet food, etc.

These products must be registered at the Ministry of Health before they can clear customs. Since the registration process might take several weeks, it is advisable to apply for registration of the product by sending small samples, get the product approved, and then proceed with the shipment.

The importer applies for registration by submitting the following:

- A request to register the product addressed to:
  Ministere de la Sante (Ministry of Health)
  Direction du Medicament et de la Pharmacie
  B.P. 6202, Rabat Institut, Morocco

- Detailed information on the ingredients, on the production and control process, and on the stability of the product.
- An export certificate provided by the Official Authorities in the exporting country stating that the product is legally marketed for human use in the country of

origin. In case of the United States, although the circular does not state it, the FDA certificate is accepted.
- Laboratory analysis certificate provided by official authorities of the exporting country. The result of the analysis should include information on the ingredients and exipients, toxicological and bacteriological analysis, and provide reference of the relevant prevailing regulations in the country of origin.
- Result of the scientific work and experiments made to show the advantage of using the products.
- A sample of the item to be marketed.

Based on the decision of the joint commission from the Ministry of Health and the Ministry of Agriculture, the Ministry of Health issues the Registration Certificate that can be used to clear customs. The certificate is valid for 5 years and is renewable upon request from the importer.
Infant powder milk can only be sold in pharmacies (decision of the joint commission of Ministry of Agriculture and Ministry of Health).

Products included in this group can be sold as "*Dietetic Food*" or "*Diet Food*" except baby formulas and infant food used by healthy children. The labels of these products should include:

a) Name of the product.
b) Qualitative and quantitative information or the production process that gives the food its special characteristics.
c) List of ingredients and additives.
d) Net weight.
e) Name and address of the importer.
f) Lot number.
g) Production and expiration dates (mention the year) and, if needed, limit date for optimal use.
h) Precaution measures for its use.
i) Special storage conditions if any.
j) Energy content expressed in Kilo-Joules (KJ) or Kilocalorie (Kcal) as well as sugar, protein and fat content per 100 grams or 100 milliliters and daily recommended intake. When the energy content of the food is less than 50 KJ (12 Kcal) the exact energy content may be replaced by the expression "*Energy Value Lower Than 50 KJ (12 Kcal) For 100 Grams Per 1000 Milliliter*".

For this special group of food, the label should not include any mention of prevention, treatment, or recovery or conjure up such properties.

Chocolate

The regulation governing chocolate labeling is dated March 15, 1927. It stipulates that the label "*chocolate*" can only be used for products containing at least 32 percent of cocoa powder or paste. The label "*Milk chocolate*" can only be used for products containing at least 15 percent of solid matter obtained from evaporation of milk.

Honey

The name "*Honey*" can be used exclusively for the honey produced by bees. When the bees are fed sugar or other sweet feed, except honey, the products should be designated as "*Sugar Honey*". The label "*honey*" cannot be used for honey caramelized by heat or containing over 25 percent of water. (Article 5, Ministry Decision March 5, 1928).

Products that look like honey and that can be used for similar purposes cannot be imported, produced, or held for sale under any name unless they fulfill the conditions above (Article 6, Decree May 16, 1961).

The word "*Pure*" can be used only for the honey issued from bees and not for honey from sugar. The country of origin must appear in the honey product label. It should be printed in indelible characters of at least 5 millimeters. The name of the region may also be indicated on the label of "*Pure honey*". Mixing honey of different origins is prohibited (Article 7, Minister's decision February 6, 1950).

Marmalade, Jelly, Jams

The denomination "*Marmalade, Jelly, and Jams*" followed by the name of one or several fruits or printed with the indication "*Pure Fruit and Sugar*", can be used only for the products issued from refined sugar, white crystallized sugar, brown sugar, fresh or dried fruit, or fruit juice. They must be conserved without addition of any antiseptic except Sulfur Anhydride. No trace of Sulfur Anhydride should remain at the time of sale.
The denomination "*All Fruit*" must be reserved for products containing at least three types of fruits and prepared under the same conditions as mentioned above.
The denomination "*Raisin*" combined with the indication "*Pure Fruit and Sugar*" is to be used for products issued from crystallized white sugar or brown sugar, and dried raisins, or grape juice. (Article 8, Minister's Decision March 5, 1928, published in the Official Bulletin #806 issued on April 3rd 1928)

The use of the names of marmalade, jelly, or jams for products containing apple pulp, apple juice, apple marc's is considered fraudulent unless the name is followed immediately by the words "*And Apples*" printed in the same characters. When apple, apple juice or the products mentioned in the article 8 are the dominant products, the name of the product used must be "*jam, marmalade, or jelly, of apples with...*". (Article 9, Minister's Decision March 5, 1928, published in the Official Bulletin #806 issued on April 3, 1928).

The following are not considered falsification (Article 10, Minister's Decision March 5, 1928, published in the Official Bulletin #806 issued on April 3rd 1928):

1) The partial or total substitution of sugar with another sugar. When the substitution is over 15 percent, the product must no longer be labeled "*Pure sugar*" but "*Fancy*" or "*Glucose*" or any other name indicating this substitution.
2) The use of crystallized fruit or their syrups. In this case the name should be immediately followed by the word "*Fancy*", or "*Crystallized Fruit*", or "*syrups of crystallized fruit*" and exclude the word "*Pure sugar*".
3) The addition of commercially pure Tartric Acid commercially pure. The name of the products should be immediately followed by the word "*Fancy*".
4) The coloration as permitted by the prevailing law. The name of the products should be immediately followed by the word "*Fancy*" or "*Colored*"
5) Adding aroma as permitted by the prevailing law. The name of the products should be immediately followed by the word "*Fancy*" or "*Aromatized*".
6) Adding gelose or gelatin, gum and starch. The name of the products should indicate the name of the added products. The use of the wordings "*Pure Fruit*" or "*Pure Sugar*" is in these cases prohibited.

When the last three processes are all used, the product should not indicate any name of fruit and should be labeled as "*Artificial*".
It is prohibited to import, carry, and hold for sale under the names specified in article 8,9, and 10 any jam or jelly containing over 40 grams of water for 100 grams of products and for marmalade any products containing over 45 grams of water for 100 grams of products.
(Article 11, Decision of March 5, 1928, published in the Official Bulletin #806 of April 3, 1928)

Milk Replacement for calves

Whole milk to be used for animal feeding must contain at least 5 percent of alfalfa flour. This applies to powder and non-powder milk. A sanitary certificate stating that the imported milk has been prepared especially for animal feed and that alfalfa flour has been added during the production.
The packaging for replacement milk should indicate the brand and the producer's name, the composition of the milk, and the statement "*Milk with alfalfa flour to be used for animal feeding*". (Decree Nov. 12, 1957, published in the Official Bulletin 2352 of Nov. 22, 1957)

Mixed Feeds

On April 2004, the Ministry of Agriculture issued a decision that amends the original 1948 decision related to mixed feed for animals. The recent decision has, for each type of animals (i.e. cattle, sheep and goats, laying hens, poultry breeding stock, broiler, turkey, quail, ducks, rabbit, ostrich), new minimum nutritional characteristics that must be met depending on the production phases (Ministry of Agriculture Decision 1239-03 of December 29, 2003, published in Official Bulletin 5200 issued April 1, 2004).

A license from the Ministry of Agriculture is required to market mixed feed in the Moroccan Market. (Decision of August 7, 1946 published in the Official Bulleting 1766 of August 30, 1946).
Another decision of the Ministry of Agriculture (Decision of January 1947, published in Official Bulletin 1788, January 31, 1947) stipulates that:

- The Ministry of Agriculture issues a license once the Official Laboratory approves the products and assigns a registration number to it.
- The label of the feed must include: the brand, the name and address of the manufacturer, the name of the product, the specie for whom the feed is made, the official laboratory registration number, the manufacturing date.
- The label should be of one of the following colors:
    a. Red with black printing for mixes
    b. Blue with black printing for nitrogen concentrate and mineral supplements
    c. White with printing of different colors according to the targeted species for balanced mixed feed.

The indications on the label should be also printed on promotional material.
The label for feed mixes, defined as 2 or 3 well-mixed feed ingredients whether added or not with minerals or vitamins, must indicate the names of the ingredients and the percentage of each ingredient in the mix.

The label of balanced mixed feed must include also the name and the percentage of the ingredient, the content in digestible protein, the dry matter content in grams per kilogram, and the feed value expressed in Scandinavian Feed unit per kilogram.

The protein meals cannot be sold without a certificate showing their protein and fat content (Decision of June 9, 1950, published in the official bulletin #1965 of June 23, 1950).

Mineral and Nitrogen Supplement for feed

In addition to the labeling required for mixed feed, the labels should include (Article VII, Decision of January 1947, published in Official Bulletin 1788, January 31, 1947):

- The amounts at which the supplement is to be incorporated in the rations according to the species, age of the animals and production level.
- Nitrogen concentrate label should show the percentage of digestible protein.
- The content in grams per kilogram of calcium, phosphate, chloride for mineral supplements.

Use of estrogen, arsenical, antimonial substances, meat meal and animal fats

Currently Morocco has a regulation that prohibits the use of use of arsenical, antimonial and estrogen substances in feeding animals. In addition, the same regulation prohibits the use of meat and bone meal (except fish meal), blood meal and animal fat in feeding animals (including aquiculture) for any purpose. (Joint Decree of Ministry of Agriculture and Ministry of Health June 31, 2001 Published in the Official Bulletin #4874 of February 15, 2001).

The government is expected to amend the above decree so it does not conflict with the text agreed upon with the United States during the FTA negotiations. Thus the outright ban of use and marketing of meat containing hormones will be amended but the other prohibitions are likely to remain unchanged.

Day Old Chicks

The most recent regulation governing the imports of day old chicks into Morocco was issued in January 1998 (Ministry of Agriculture decision of 2421-97 of January 29, 1998, published in the Official Bulletin 4558). Under this regulation, imported breeding day old chicks that weigh no more than 185 grams must comply with the following requirements:

- Maximum age 1 day.
- The male chicks should represent no more than 20 percent per lot. All male chicks must be nail-trimmed and delivered in separate cases.
- Chicks must be shipped with a Certificate of Origin mentioning the strain and that the birds are for breeding purposes. This certificate must be delivered by the official authorities of the exporting country.

Beef and Poultry

The Moroccan government and USDA are currently working to lift the ban on imports of beef from the United States because of the BSE. Also, the certificates that will accompany meat and poultry exported from the United States to Morocco are being finalized by the two parties. In addition, the meat imported for Muslims into Morocco needs a “Halal Certificate” delivered by a religious organization recognized by the government of the exporting country.

A joint circular from the Ministry of Health, Ministry of Agriculture and Ministry of Commerce and Industry sets up maximum microbiological tolerances for meat, dairy, poultry and egg products (Decision 624-04 of April 8, 2004 published at the Official Bulletin 5214 of May 20, 2004). Products that don’t meet these maximum tolerances are considered unsuitable for consumption.

Live Animal

Today, imports of cattle and Meat from the United States are prohibited because the BSE. Also, since the detection of isolated cases of BSE in the United States, the model veterinary certificate agreed upon by the Ministry of Agriculture and APHIS can no longer be issued by APHIS.

Imports of cattle are subject to a set of technical specifications published by the Ministry of Agriculture (Code de Procedure d’Importation de Reproducteurs Bovins de Races Pure DE/006136 published in November 2004). The Most recent Import Procedure Code (CPI) was published in November 2004 and explicitly stipulates that in order to benefit from the exoneration of customs duties that are otherwise prohibitive, the imported cattle must be:

- Purebred Pregnant Heifers of specific breeds.
- Purebred young heifers of specific breeds.
- Purebred breeding bulls of specific breeds.

The CPI specifies that only few dairy and beef breeds can be imported into Morocco. It sets the minimum performance, information on ancestry, and the documents requirements.

Cattle Semen

In April 2004, a new certificate was agreed upon for imports of cattle semen from the US. The new model certificate for semen can be found at www.aphis.usda.gov/vs/ncie/iregs/animals/mo.html and makes no mention of BSE. The Ministry of Agriculture and APHIS need still need to amend the model health certificate for cattle in order to allow US cattle in.

Fruit and Vegetable Juices

The basic regulation controlling the production, marketing, and labeling of fruit and vegetable juice is the joint circular 002/97 issued by the Ministry of Agriculture and the Ministry of Public Health. A copy of the circular can be obtained from the Agricultural Affairs Office in Rabat or directly from the Ministry of Agriculture's Fraud Repression Office.

The circular defines which products can have the label "*Vegetable Juice*" and when to use the name of the vegetable, or the words "*Fresh*", "*Pure*", and "*Salted*". It also defines under what conditions mixing and concentration of juice is permitted. Dilution of vegetable juice is prohibited except when it is done right before consumption in presence of the consumer or using adequate mixing machines verified by the GOM. It is also prohibited to add alcohol, antiseptics, tartric acid, lactic acid as well as any non-authorized substance.

Juice labels should indicate the name of the importer and the net weight in centiliters.

Salt

All salt whether produced locally or imported must contain Iodine. The iodine must be added in the form of Potassium Iodate (KIO_3) at 80 milligram for every kilogram of salt. A waiver of 10 mg/kg is tolerated.
Salt must be packed with rainproof, chemically stable material. Packs cannot exceed 1-kilogram net weight.
The label "*Iodized Salt*" must be apparent and have a dimension of at least 6 milliliters. It must indicate: the name of the producer, the country of origin, the rate of iodine used, production date, the number of the lot, ingredient list, authorized additives used, and net weight. No therapeutically information should be on the label.(Decree 2-95-709, December 12, 95, Official Bulletin 4338)

Product Samples and Mail Order Shipments

Samples of food products sent to importers are subject to the full import regulations.

VI. COPYRIGHT LAWS

Morocco is a member of the World Intellectual Property Organization (WIPO) and signed several international agreement for intellectual property rights protection. The most important agreements signed by Morocco are:

- The Paris March 20, 1883 Convention for Intellectual Property Right Protection
- The Madrid April 14, 1891 Protocol regarding the international registration of brand names
- The Hague November 6, 1925 Protocol regarding the registration of industrial models and drawing.

A new unified law of intellectual property rights that complies with the WTO requirements has been passed by the Moroccan Parliament and should be implemented next month. This law will replace the 1916 and 1932 laws that used to protect trademarks and brand names. Under the new law a new government agency for intellectual property right protection is created: the Moroccan Office for Commercial and Industrial Property "*Office Marocain de la Propriété Industrielle et Commerciale, OMPIC*".

Foreign companies enjoy trademarks and brand protection in Morocco as stipulated by the Madrid April 14, 1891, Protocol. Exporters from countries not signatory of the Madrid Arrangement must apply through a resident in Morocco to have their trademarks and brand names registered.

Detailed guides for registration can be obtained through the Agricultural Affairs Office or directly from:

Office Marocain de la Propriete Industrielle et Commerciale, OMPIC
Route de Nouasser, RS 114, Km 9,5 Sidi Maarouf
B.P. 8072, Oasis, Casablanca, Morocco
Phone:(212-2) 233-5486/233-5167 Fax:(212-2)233-5480/233-5339
WebSite: www@mcinet.gov.ma Email: opic@mcinet.gov.ma

IPR- Plants and Plant Products

Morocco is implementing its intellectual property right (IPR) law for protecting new plant varieties. The basic 9/94 IPR law was published by the government in 1997, but has been effectively implemented since October 28, 2002 with the publication of various implementing orders.

The IPR law is patterned after the 1991 UPOV (International Union for the Protection of New Varieties of Plants) Convention and should provide adequate protection of breeders' rights and allow plant breeders to reap fair returns from their investment. The law will also allow Moroccan agriculture to benefit from new developments in plant breeding.

Protection of new varieties is not mandatory. The Moroccan law provides breeders from other countries reciprocal treatment. That is, the protection is granted if the country of origin provides at least the same protection to Moroccan breeders. Protection is granted to the breeder if the variety is deemed new, distinct, uniform, stable, and has the appropriate denomination.

A variety is considered new if, at the implementation date, the material to protect has not been sold or given to third parties for use for over 1 year in Morocco and for 4 years abroad (for trees and vineyards, 6 years). The variety has to be distinguishable from any commonly known variety, sufficiently uniform in its relevant characteristics, and have stable characteristics even after repeated propagation. The Ministry of Agriculture has established a list of organizations (local and foreign) that are able to evaluate the variety to protect.

Currently, the Ministry of Agriculture has published a list of 76 species and genera for which the breeders' rights can be protected. The list establishes also, for each species and genera, the elements that can be protected. As required by the UPOV convention, the list is expected to be extended to all species and genera within 10 years. A more detailed report on IPR (MO3001) in Morocco can be found at the www.fas.usda.gov

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VII. IMPORT CONTROL PROCEDURE

General

The basic regulation for inspection of food and agricultural products imported into Morocco is the joint Ministry of Finance and Ministry of Agriculture Circular # 1. This circular gives Ministry of Agriculture inspectors and Customs officials authority to inspect imported food and agricultural products.

Depending on their nature (animal, plant, raw, or processed) imported products are inspected by different divisions. In major ports (Casablanca, Agadir, and Tanger). The importer deals with one Ministry of Agriculture office, the DCQ (Direction de Controle de la Qualité) and the dispatch of the file is done internally depending of the type of product.

Typically, the clearing process through DCQ inspectors consists of up to three major steps based on the familiarity with commodity, importer's experience, and sometimes the origin.

a) Checking the import documents
b) Physical control of the commodity, and
c) Drawing of sample for more detailed laboratory analysis.

DCQ inspectors issue a certificate that authorizes the importer to clear customs. Customs Officers will not authorize the goods into the country without a certificate issued at the point of entry by the DCQ inspectors.

The imported product can follow three possible paths:

1) Animal and animal products: this category includes live animals, animal products and by-products, animal breeding products, sea products, fresh water products, and feedstuffs, including mineral complements and premixes. In this case, a Veterinarian from the Ministry of Agriculture issues a sanitary certificate that might result in the imported goods being admitted or rejected.

2) Plants and plant products are inspected by inspectors from the Plant Protection and Control Division at the Ministry of Agriculture (DPVCTRF). Based on the results of the control, the Plant Protection inspector issues a phytosanitary certificate in which a) allows the products to enter the country; b) orders that the product be fumigated at the port or in approved stations; or c) rejects the product and/or orders its destruction.

3) In addition to the sanitary and phytosanitary control, foodstuffs and feedstuffs are controlled by representatives from the Ministry of Agriculture's Fraud Repression Office and by customs officers who have the authority to request laboratory analysis. Eventually, the designated government laboratories issue a certificate that is necessary for customs clearance.

In order to help DCQ inspector make a quick decision and not request laboratory analysis, the exporter (or local importer) should provide extensive documentation (description of the products, lab analysis result, certification of approval by the government of the exporting country, etc.). Some importers send samples to the DCQ office before they ship the products to get a feel of what would be required to swiftly clear customs. Also, the most widely used business language in Morocco is French. Therefore, even if English documents are acceptable, it is generally a good practice to present French documents to expedite customs clearance. Normally, it takes less than a week to clear products through customs. If a sample of food is taken for laboratory analysis, the customs clearance may be delayed up to 8 days and the importers have to pay the cost of the laboratory analysis.

Certification for Animal, and Animal Origin Products

For animal and animal origin products including seafood, the basic regulation that states the requirement of sanitary certificates by the Ministry of Agriculture has been recently amended in May 2005. (Decree 2-89-597 issued October 12, 1993, published in the Official Bulletin 4227 and modified by Decision 603-05 of March 16 as published in the Official Bulleting of May 19, 2005 # 5318):

Generally, animal origin products have to be accompanied by certificate derived from the model agreed upon between the Ministry of Agriculture's Livestock Division and USDA.

Live Animals

- A sanitary certificate delivered by the official authorities of the country of origin no more than 3 days before the departure of the animals. The certificate should indicate the number of animals, their species, their description, name and address of the expediter and the addressee. It should certify that in the country of origin, and if applicable of transit, there is no case of contagious disease of the exported species. The Ministry of Agriculture sets up the list of sanitary indications that are required for each imported species.

- A sanitary certificate delivered by the local official authorities at the loading port indicating that, at the time of loading, the animals were carefully inspected within 24 hours of their export and that they are in good health, and that no case of reputable contagious diseases has been found.

- A Certificate of Analysis delivered by an official laboratory of the country of indicating results of the tests required in the sanitary certificate. This certificate needs to be signed by the sanitary authorities of the exporting country.

Animal Products and food containing Animal origin ingredients

- A sanitary certificate delivered by the official sanitary authorities of the exporting country is required. The certificate should indicate:
    - The exporting country.
    - The service issuing the certificate.
    - Identification of the exported products (nature, quantity, size, packaging).
    - The name and address and the License Number of the expediter.
    - Name and Address of the importer.
    - Identification of the means and conditions of transport.

- The sanitary certificate must certify that the product come from animals that received ante mortem and postmortem inspection at the time of slaughter and was determined to be wholesome and free of disease. The product contains no unauthorized preservatives or other additives or food colorings. Taking into account the surveillance plans implemented by the sanitary authorities, the product does not contain residues of antibiotics, anti-coccidian, hormones, pesticides, radioactive elements, or medications in quantities that exceed the admissible levels susceptible of making the product hazardous or harmful to human health. The product has been prepared in an establishment inspected and approved by the official inspection services and is known to be suitable for human consumption.
- The products come from animals that have been killed according to the Islamic ritual when the product is aimed for Muslim consumers. A Halal Certificate delivered by an Islamic organism accepted by the official authorities of the country of origin

- A certificate of physical and chemical analysis and microbiological analysis provided by an official laboratory duly authorized in the country of origin.

Other animal products

This category includes animal products used for breeding, ingredients for the animal by-products processing industry, and animal origin feed. The required certificates are:

- A sanitary certificate issued by the official veterinary authority of the country of origin certifying that the product is from animals free of contagious diseases is required.

- For animal products used for feeding and ingredients of the Animal by-products industry and coming from countries that are not recognized to be free contagious disease, the certificate must indicate that the product has been treated as required by the Ministry of Agriculture

- Breeding material must comply with the Ministry of Agriculture set of specifications.

- The certificate should indicate that the product was prepared in an establishment that is regularly inspected by the veterinary services in the country of origin.

Seafood products

- A sanitary certificate issued by the official sanitary authorities indicating that the product does not contain any toxin or pathogenic germs is required. This certificate must indicate that the products come from approved facilities that have been subject to veterinary sanitary inspection, and are known to be suitable for human consumption.
- Fish from farms, and fish eggs must have a sanitary certificate issued at the place of origin and certifying that the fish farms are approved and regularly inspected by the veterinary authorities and are free of contagious diseases of the species.

Point of Entry to Morocco for Animals and Animal Products

Imported live animals, animal products, and byproducts can enter Morocco only through specified ports and airports. Entry ports are Casablanca, Tanger, Kenitra, Safi, Agadir, Jorf Lasfar, Nador, Al Hoceima, Dakhla and Laayoune. Entry airports are Casablanca (Mohamed V), Agadir, Fes, Tanger, Oujda, Rabat-Sale, Marrakech, Laayoune, Dakhla, and Ouarzazate. (Minister of Agriculture and Minister of Finance Decision 1726-96 of September 1996, published in Official Bulletin 4418 of October 3, 1996).

Government Approved Laboratories

The list of approved Fraud Repression laboratories has been set by decree as stipulated in the 13/83 Fraud Repression Law. The most widely used laboratories are:

Laboratoire Officiel d'Analyse et de Recherches Chimiques-Casablanca
Laboratoire d'Analyse et de Recherches Veterinaires, Casablanca
Laboratoire du Service du Controle et
de la Multiplication des Semences et Plants-Rabat
Laboratoire de Technologie des Cereales de l'INRA
Laboratoire de Technologie des Cereales de l'ONICL
Laboratoire de l'Institut Pasteur-Casablanca
Laboratoire d'Analyse et de Recherches Veterinaires de Tanger
Laboratoire d'Analyse et de Recherches Veterinaires d'Agadir
Laboratoire de l'Institut National d'Hygiene

Appeals System

According to the 13-83 food law, when the laboratory results provides evidence that the imported product does not comply with the prevailing regulations, the importer is notified by the head of Fraud Repression Office at the Ministry of Agriculture. The importer may appeal within eight days after the receipt of the notification and may request a second laboratory analysis be made. The FRO head sends the product samples to a second approved laboratory. Any supporting documents that the importer wants to provide to the second laboratory have to be transmitted through the head of FRO. The results of the second analysis are also provided to the head of Fraud Repression Office.

Normally, the importer will pay a deposit to the Moroccan Treasury that will be used, if the second analysis confirms the first results, to pay additional charges such as storage of the goods, laboratory cost, and sample delivery. If the results of the second analysis don't provide any evidence of law infringement, the deposit is paid back to the importer.

When the importer does not appeal within eight days and when the results of the second analysis confirm the results of the first one, the report is filed in the court who decides whether to reject the product or not.

APPENDIX A - MAJOR REGULATORY AGENCIES

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Direction de la Protection des Vegetaux, Controle Technique et Repression des Fraudes
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Plant Protection, Quarantine, Fraud Control Office, Additives Phytosanitary Certificate, Import Requirements, Intellectual Property Rights

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Dr. BENAZZOU Hamid, Directeur de l'Elevage
Rue Abderrahman El Ghafiqui, Agdal, Rabat, Morocco
Phone: (212-3) 768-6286 Fax:(212-3) 768-2049
Email: madedvha@menara.ma
Livestock & Products, Food, Sanitary Requirement, Quarantine

Direction Controle Qualite (DCQ) -Port Casa
Port de Commerce de Casablanca, Morocco
Phone: (212-2) 231-7047 Fax: (212-2) 231-8648
Email: dcqpfc@hotmail.com
Port Food and Agricultural Products Inspection, Ministry of Agriculture

American Embassy-Rabat
Agricultural Affairs Office-Rabat
PSC 74, Box 002. APO AE 09718
Contact: **Mike Fay**, Agricultural Attaché
Aziz ABDELALI, Agricultural Specialist
Phone:(212-3) 776-2265 Fax:(212-3) 776-5493
Email: AgRabat@usda.gov
USDA/FAS, U.S. Agricultural Export Promotion, U.S. Embassy, Rabat

End of Report.